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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,890	08/15/2001	Jong-Cheol Bae	678-671 (P9671)	9315
7590	09/07/2005		EXAMINER HASHEM, LISA	
Paul J. Farrell, Esq. DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd. Uniondale, NY 11553			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,890

Applicant(s)

BAE ET AL.

Examiner

Lisa Hashem

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2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6-24-2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 3 and 4 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application Publication No. US 2004/0014459 by Shanahan et al, hereinafter Shanahan.

Regarding claim 3, Shanahan discloses a method of alerting a user of an occasion date in a phone (Figs. 5-7, 20; section 0022, lines 1-10) having an incoming call ring sound alteration function (section 0045, lines 1-13), comprising:

entering an occasion date registration mode on a phone (section 0051, lines 1-8; section 0058, lines 1-11);

displaying an occasion date registration screen on the phone, the occasion date registration screen including a menu for the user to select an occasion date and incoming call ring sound (section 0045, lines 8-13; section 0048, lines 1-6; section 0058, lines 7-9);

registering the occasion date (section 0045, lines 8-13);

accepting a call on the phone, the call intended for the user (section 0045, lines 1-8);

determining whether today is the registered occasion date (section 0045, lines 8-13);

inherently setting a first predetermined ring sound as the incoming call ring sound on the phone if today is not the registered occasion date;

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and changing the first predetermined ring sound to a second predetermined ring sound, if today is the registered occasion date to remind the user of the registered occasion date (section 0045, lines 6-13).

Regarding claim 4, the method of claim 3 mentioned above, wherein Shanahan further discloses: designating a date selected by the user as the registered occasion date (section 0045, lines 8-13); and registering a ring sound selected by the user among ring sounds stored in the phone with respect to the registered occasion date (section 0025, line 1 – section 0026, line 21; section 0045, lines 1-13; section 0051, lines 1-8; section 0058, lines 1-11; Figs. 5-7).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 6,449,498 by Kirbas et al, hereinafter Kirbas, in view of Shanahan.

Regarding claim 1, Kirbas discloses a method of alerting a user of an occasion date in a phone (col. 2, lines 46-49) having an idle mode screen displaying function (see Abstract), comprising: determining whether today is a registered occasion date (col. 3, lines 8-10); displaying a first predetermined image for an idle mode screen on the phone for viewing by the user, if today is not the registered occasion date (col. 3, lines 53-61); and changing the first predetermined image to a second predetermined image, if today is the registered occasion date to remind the user of the registered occasion date (col. 3, lines 8-43; see Fig. 1).

Kirbas does not disclose the method when a call is received and accepting a call on a phone, the call intended for a user.

Shanahan discloses a method of alerting a user of an occasion date when a call is received in a phone (Figs. 5-7, 20; section 0022, lines 1-10) having a mode screen displaying function (section 0045, lines 1-13), comprising:

accepting a call on a phone, the call intended for a user (section 0045, lines 1-8);
checking whether today is a registered occasion date (section 0045, lines 8-11);
and displaying a second predetermined image, if the today is the registered occasion date to remind the user of the registered occasion date (section 0045, lines 1-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Kirbas to the method when a call is received and accepting a call on a phone, the call intended for a user as taught by Shanahan. One of ordinary skill in the art would have been lead to make such a modification to alert a user of an occasion date when a call is received.

Regarding claim 2, the method of claim 1 mentioned above, wherein Shanahan further discloses: designating a date selected by the user as the registered occasion date (section 0045, lines 8-13); and registering an image selected by the user among mode screen images stored in the phone with respect to the registered occasion date (section 0025, line 1 – section 0026, line 21; section 0045, lines 1-13; section 0051, lines 1-8; section 0058, lines 1-18; Figs. 5-7).

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanahan in view of Kirbas.

Regarding claim 5, Shanahan discloses a method of alerting a user of an occasion date when a call is received in a phone (Figs. 5-7, 20; section 0022, lines 1-10) having a mode screen displaying function and having an incoming call ring sound alteration function (section 0045, lines 1-13), comprising:

accepting a call on a phone, the call intended for a user (section 0045, lines 1-8);
checking whether today is a registered occasion date (section 0045, lines 8-11);
inherently playing a first predetermined ring sound as an incoming call ring sound, if the today is not the registered occasion date;
and displaying a second predetermined image and playing a second predetermined ring sound as the incoming call ring sound, if the today is the registered occasion date to remind the user of the registered occasion date (section 0045, lines 1-13).

Shanahan does not disclose an idle mode screen displaying function and displaying a first predetermined image for an idle mode screen on the phone.

Kirbas discloses a method of alerting a user of an occasion date in a phone (col. 2, lines 46-49) having an idle mode screen displaying function (see Abstract; col. 2, lines 40-57), comprising:

determining whether today is a registered occasion date (col. 3, lines 8-10);
displaying a first predetermined image for an idle mode screen on the phone for viewing by the user, if the today is not the registered occasion date (col. 3, lines 53-61); and
displaying a second predetermined image, if the today is the registered occasion date to remind the user of the registered occasion date (col. 3, lines 8-43; see Fig. 1).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Shanahan to include an idle mode screen displaying function and displaying a first predetermined image for an idle mode screen on the phone as taught by Kirbas. One of ordinary skill in the art would have been lead to make such a modification to display a first predetermined image in an idle mode on a phone and display a second predetermined image if today is a registered occasion date.

Regarding claim 6, the method of claim 5 mentioned above, wherein Shanahan further discloses: designating a date selected by the user as the registered occasion date (section 0045, lines 8-13); and registering an image and a ring sound selected by the user among idle mode screen images and ring sounds stored in the phone with respect to the registered occasion date (section 0025, line 1 – section 0026, line 21; section 0045, lines 1-13; section 0051, lines 1-8; section 0058, lines 1-18; Figs. 5-7).

Response to Arguments

6. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

7. Accordingly, this action is **FINAL**.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US Patent Application Publication No. 2001/0050977 by Gerszber et al disclose a method of alerting a user of an occasion date in a phone having a mode screen displaying function
- U.S. Patent No. 5,870,683 by Wells et al disclose a method of alerting a user of an occasion, e.g. a holiday, in a phone having an idle mode screen displaying function

9. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

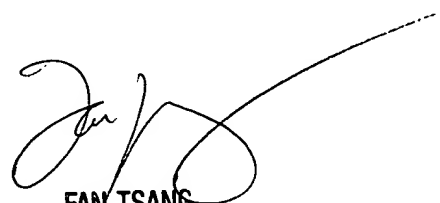
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11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

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August 23, 2005


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